

Report Date: June 17, 2014

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 18 2014

SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Richard Allen Counts, III

Case Number: 0980 2:07CR02066-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 17, 2008

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison 100 months
TSR - 48 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: September 13, 2013

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: September 12, 2017

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 2/7/2014.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition #2: The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: Mr. Counts was charged on June 6, 2014, with tampering with a witness, in Yakima County Superior Court, Yakima, Washington, cause number 14-1-00802-9. It is alleged the defendant attempted to induce a victim, a witness, or person, he believed would be called as a witness in an official proceeding. The report from the local law enforcement indicates, the defendant spoke with his father on the telephone from the Yakima County Jail. The defendant's father is currently in custody on a charge of second degree assault, and he is a convicted felon. After the call, the defendant made contact with a potential witness in his father's matter, and the defendant asked the witness what he/she told the police. After the conversation, the defendant allegedly told the witness, if he (the defendant) found out he/she gave a statement against his father, he (the defendant) would be "looking" for him/her. He/She took this to mean, if he/she cooperated in the prosecution of the defendant's father, he/she believes he/she would be in danger.

The defendant posted a \$150,000 bond and was released from custody. His next hearing has not yet been scheduled.

Prob12C

Re: Counts, III, Richard Allen

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Standard Condition #9: The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On June 4, 2014, Mr. Counts was arrested on an outstanding warrant issued in the witness tamper matter. The defendant was observed by local law enforcement having contact, speaking with a known convicted felon. The defendant did not first obtain permission from his U.S. probation officer to have contact with this person.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/17/2014

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.



Signature of Judicial Officer

6/18/14

Date